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NO. 6924 P. 1/17

AUG 14 2008

FAX TRANSMISSION**DATE:** August 14, 2008**PTO IDENTIFIER:** Application Number 10/588,254
Patent Number**Inventor:** Doug Bettenhausen et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP
Jonathan M. Sparks, Ph.D.**PHONE:** (617) 517-5543**Attorney Dkt. #:** 61198(47381)**PAGES (Including Cover Sheet):** 17**CONTENTS:** Fee Transmittal (1 page)
Transmittal (1 page)
One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)
Part 2 Copy of Notice (2 pages)
Response to Notice to File Missing Parts of Application (2 pages)
Two Combined Declaration and Power of Attorney (8 pages)
Charge \$125.00 to deposit account 04-1105
Certificate of Transmission (1 page)

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EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874, Boston, Massachusetts 02205
Telephone: (617) 239-0100 Facsimile: (617) 227-4420

PTO/SB/87 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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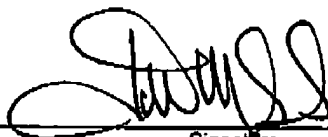
Application No. (If known): 10/588,254

Attorney Docket No.: 61198(47381)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 14, 2008
Date



Signature

Jonathan M. Sparks, Ph.D.

Typed or printed name of person signing Certificate

53,624

Registration Number, if applicable

(617) 517-5543

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)

Transmittal (1 page)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

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NO. 6924 P. 3/17

AUG 14 2008

PTO/SB/17 (10-07)

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Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2008		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/588,254
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	August 2, 2006
125.00		First Named Inventor	Doug Bettenhausen
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	61198(47381)

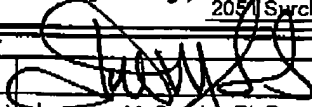
METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>04-1105</u> Deposit Account Name: <u>Edwards Angell Palmer & Dodge LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES		
Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185
<u>Total Claims</u> <u>Extra Claims</u> <u>Fee (\$)</u> <u>Fee Paid (\$)</u>		
HP = highest number of total claims paid for, if greater than 20.		
<u>Indep. Claims</u> <u>Extra Claims</u> <u>Fee (\$)</u> <u>Fee Paid (\$)</u>		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE				
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____	_____	_____	_____	_____
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

4. OTHER FEE(S)		Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): 2251 Extension for response within first month		60.00
2051 Surcharge-Late oath or declaration		65.00

SUBMITTED BY			
Signature	Registration No. (Attorney/Agent)	Telephone	
	53,624	(617) 517-5543	
Name (Print/Type)	Date		
Jonathan M. Sparks, Ph.D.	August 14, 2008		

08/19/2008 GFREY1 00000071 041105 10588254

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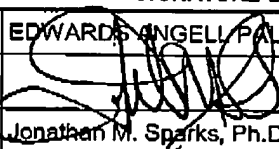
PTO/SB/21 (08-08)

Approved for use through 08/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/588,254
	Filing Date	August 2, 2006
	First Named Inventor	Doug Bettenhausen
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	61198(47381)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Part 2 Copy of Notice 2 Declarations (8 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Jonathan M. Sparks, Ph.D.		
Date	August 14, 2008	Reg. No.	53,624

BOS2 689050.1

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NO. 6924 P. 6/17

AUG 14 2008

Docket No.: 61198(47381)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Doug Bettenhausen et al.

Application No.: 10/588,254

Filed: August 2, 2006

Confirmation No.: 6435

Art Unit: N/A

For: PREVENTION, TREATMENT, AND
AMELIORATION OF RADIATION INDUCED
ENTERITIS

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date
Granted mailed May 21, 2008, Applicant respectfully submits Two Combined
Declaration and Power of Attorneys, a Petition for Extension of Time, and Part 2 Copy
of Notice.

Please charge our Deposit Account No. 04-1105 in the amount of \$125.00
covering the fees set forth in 37 CFR 1.17(a)(1) and 1.16(f). The Director is hereby
authorized to charge any deficiency in the fees filed, asserted to be filed or which
should have been filed herewith (or with any paper hereafter filed in this application by

BQ52 689051.1

Application No.: 10/588,254

2

Docket No.: 61198(47381)

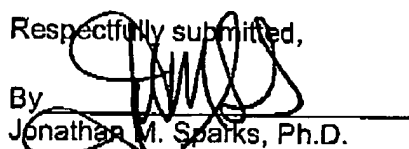
this firm) to our Deposit Account No. 04-1105, under Order No. 61198371(47381).

Dated: August 14, 2008

Customer Number 21874

Respectfully submitted,

By


Jonathan M. Sparks, Ph.D.

Registration No.: 53,624

EDWARDS ANGELL PALMER & DODGE
LLP

P.O. Box 55874

Boston, Massachusetts 02205

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Attorneys/Agents For Applicant

BOS2 689051.1



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO. 10/588,254	FIRST NAMED APPLICANT Doug Bettenhausen	ATTY. DOCKET NO. 61198-371 (47381)
INTERNATIONAL APPLICATION NO. PCI/US05/18757		
I.A. FILING DATE 05/27/2005	PRIORITY DATE 05/28/2004	

21874
EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

CONFIRMATION NO. 6435
371 FORMALITIES LETTER



Date Mailed: 05/21/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/02/2006
- Copy of the International Search Report filed on 08/02/2006
- Copy of IPE Report filed on 08/02/2006
- Information Disclosure Statements filed on 01/08/2008
- Request for Immediate Examination filed on 08/02/2006
- U.S. Basic National Fees filed on 08/02/2006
- Priority Documents filed on 08/02/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:
• **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.htm>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TERRY M JOHNSON-VESSELS

Telephone: (703) 308-9140 EXT 221